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UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA

ELIOT SCOTT GRIZZLE,)	Case No. C 07-4845 SI
)	
Petitioner,)	
)	
v.)	
)	STATEMENT OF RECENT DECISION
ROBERT HOREL,)	
)	
Respondent.)	

Petitioner, Eliot Scott Grizzle, respectfully submits the Ninth Circuit's recent decision in *Jackson v. Brown*, ___ F.3d ___, Nos. 04-99006, 04-99007, 2008 WL 185528 (9th Cir. Jan. 23, 2008) as supplemental authority. In *Jackson*, the Ninth Circuit granted a petitioner habeas corpus relief due to *Brady* and *Mooney-Napue* violations arising from the prosecution's use of cooperating witnesses. *Jackson* supports Mr. Grizzle's contentions that the prosecution engaged in *Brady* and *Mooney-Napue* violations with respect to its cooperating witnesses. In particular, the Ninth Circuit emphasized that *Brady* and *Mooney-Napue* violations must be considered cumulatively for purposes of determining materiality or prejudice.

Respectfully submitted,

Dated: February 1, 2008

s/Benjamin L. Coleman, Ethan A. Balogh
 COLEMAN & BALOGH LLP
 BENJAMIN L. COLEMAN
 ETHAN A. BALOGH

Attorneys for Mr. Grizzle

PROOF OF SERVICE

I, the undersigned, say:

1) That I am over eighteen years of age, a resident of the County of San Diego, State of California, and not a party in the within action;

2) That my business address is 1350 Columbia Street, Suite 600, San Diego, California, 92101;

3) That on February 1, 2008, I served a copy of the attached Statement of Recent Decision on counsel for respondent by e-mailing a copy to Jill.Thayer@doj.ca.gov, and by sending a copy via U.S. Mail to Jill M. Thayer, Deputy Attorney General, 455 Golden Gate Avenue, Suite 11000, San Francisco, CA 94102-7004.

4) That on February 1, 2008, I served a copy of the attached Statement of Recent Decision on Eliot Scott Grizzle via U.S. Mail by sending a copy to Eliot Scott Grizzle, H-10106, Pelican Bay State Prison, P.O. Box 7500, Crescent City, CA 95532.

I certify under penalty of perjury that the foregoing is true and correct. Executed on February 1, 2008, at San Diego, California.

s/Benjamin L. Coleman
BENJAMIN L. COLEMAN